

AMENDED
TEMPORARY

ASSIGNED
Serial No. 61695 T

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE
STATE OF NEVADA HERETOFORE APPROPRIATED

NOV 17 1995

Date of filing in State Engineer's Office.....

Returned to applicant for correction.....

Corrected application filed.....

Map filed.....

DEC 04 1995

The applicant.....PEGASUS GOLD CORPORATION.....

.....601 West First Ave., Suite 1500.....
Street and No. or P.O. Box No.

.....of.....Spokane.....
City or Town

.....Washington 99204.....
State and Zip Code No.

.....hereby make.....Application for permission to change the

.....point of diversion, place of use and manner of use of a portion.....
Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under.....Permit 48998 & Certificate 13238.....

Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.

1. The source of water is.....Underground.....
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed.....0.10 cfs.....
Second feet, acre feet. One second foot equals 448.83 gallons per minute.

3. The water to be used for.....Mining, Milling & Domestic.....
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for.....Mining & Milling.....
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point.....NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, T.32N., R.33E.,.....
Describe as being within a 40-acre subdivision of public survey and by course and

M.D.B.&M. or at a point from which the SE corner of said Section 34 bears
distance to a section corner. If on unsurveyed land, it should be stated.

S 07°51'37" E a distance of 2452.40 feet.

6. The existing permitted point of diversion is located within.....SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 1) of Section 3, T.31N.,.....
If point of diversion is not changed, do not answer.

R.33E., M.D.B.&M. or at a point from which the SW corner of said Section 3

bears S 31°W a distance of 3810 feet. Refer to existing POD map filed under
Permit 48996.

7. Proposed place of use.....within Sections 2,3,4,9,10,11,14,15,16,37,38 & 39 all in T.31N.,.....
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.

R.33E, M.D.B.&M. and a portion of the S $\frac{1}{2}$ of Section 34, T.32N.; R.33E, M.D.B.&M.

Refer to place of use map filed under 61203.

8. Existing place of use.....within Sections 2,3,4,9,10,11,14,15,16,37,38 & 39 all in T.31N.,.....
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or

R.33E, M.D.B.&M. Refer to place of use map filed under 48996.
manner of use of irrigation permit, describe acreage to be removed from irrigation.

9. Use will be from.....January 1.....to.....December 31.....of each year.
Month and Day Month and Day

10. Use was permitted from.....January 1.....to.....December 31.....of each year.
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and

specifications of your diversion or storage works.).....Drilled well, pump, storage tank(s) and.....
State manner in which water is to be diverted, i.e. diversion structure,

pipelines.....
ditches, pipes and flumes, or drilled well, etc.

12. Estimated cost of works.....\$250,000.00.....

13. Estimated time required to construct works.....one (1) year.....

14. Estimated time required to complete the application of water to beneficial use..... five (5) years.

15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use:

Water will be used to service domestic and fire protection requirements of
office buildings, truck shop, warehouse and equipment maintenance shop.

S/Clare N. Mahannah

Clare N. Mahannah, P.E.

Water Research & Development, Inc.

P.O. Box 9066

By Reno, Nevada 89507-9066
(702) 747-1100

Compared..... cl/bk cl/cmg

Protested.....

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This temporary permit to change the point of diversion, manner and place of use of a portion of the waters of an underground source as heretofore granted under Permit 48998, Certificate 13238 is issued subject to the terms and conditions imposed in said Permit 48998, Certificate 13238 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This temporary permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The total combined duty of water under Permits 48997, Certificate 13237; 48998, Certificate 13238; 48999, Certificate 13239; 49931, Certificate 13240; 53342, Certificate 13245; 57096, 57097, 57098, 61203, 61204-T, 61695-T and 61711-T shall not exceed 268.0 million gallons annually.

(CONTINUED ON PAGE 2)

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed..... 0.1cubic feet per second, but not to exceed 23.59 million
gallons annually.

Work must be prosecuted with reasonable diligence and be completed on or before.....

Proof of completion of work shall be filed before.....

Application of water to beneficial use shall be made on or before.....

Proof of the application of water to beneficial use shall be filed on or before.....

Map in support of proof of beneficial use shall be filed on or before.....

Completion of work filed.....

Proof of beneficial use filed.....

Cultural map filed.....

Certificate No. Issued.....

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.
State Engineer of Nevada, have hereunto set my hand and the seal of my

office, this..... 8th..... day of..... February.....,

A.D. 19..... 96.....

R. Michael Turnipseed
State Engineer

DATE MAY 16 1996

(PERMIT TERMS CONTINUED)

This temporary permit is issued under the preferred use provisions of NRS Chapter 534. The manner of use of water under this permit is by nature of its activity a temporary use and any application to change the manner of use granted under this permit will be subject to additional determination and evaluation with respect to the permanent effects on existing rights and the resource within the ground water basin.

The issuance of this temporary permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

Monthly records shall be kept of the amount of water pumped from this well and the records submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter.

This temporary permit is issued pursuant to the provisions of NRS 533.345 Section 2 and will expire on February 7, 1997 at which time all rights herein granted shall revert to the right being changed by this temporary permit.